

Department of Public Health
and Human Services

TANF CASH ASSISTANCE

Section:
ELIGIBILITY AND BENEFIT
DETERMINATION

Subject:
TANF POST-EMPLOYMENT
PROGRAM

Supersedes: **New to Manual**

References: ARM 37.78.102; Rule 1 as outlined in MAR notice 37-434;

GENERAL RULE—Beginning July 1, 2008, households who are losing eligibility for TANF Cash Assistance due to the receipt of new or increased earned income of an individual receiving TANF, may be eligible for no more than three months of assistance under the TANF Cash Assistance Post-Employment Program.

The participant does not have to apply for the TANF Post-Employment Program. The OPA Eligibility Case Manager will automatically evaluate each TANF case closing due to earned income for Post-Employment eligibility and notify the participant if they qualify for “transition” to this program.

ELIGIBILITY CRITERIA

Eligibility criteria for the TANF Post-Employment Program includes:

1. The household must have received Montana TANF cash assistance in the month prior to the month of closure;

NOTE: This does not include extended TANF benefits.

2. The household must be losing eligibility for TANF due to new or increased earned income or self-employment income of an individual who **received** TANF cash assistance in the previous month (coded ‘IN’ or ‘DQ/SN’) **and** who will be coded ‘IN’ on TANF for the month the prospecting income will close the case;

NOTE: Individuals who are sanctioned are considered to be “receiving” TANF.

3. The new or increased earned income change was reported timely (within 10 days of having knowledge of the change);
4. The new or increased earned income was verified timely (within 10 days of request for verification) unless there is good cause for not doing so. For example, the employer has to request verification from an out-of-state corporate headquarters;

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The employment verification must contain the following in order to allow for prospecting of hours on the Employability Plan (EP):

- **Signature of the employer;**
- **Start date of employment;**
- **Anticipated hours of employment; and**
- **Hourly rate of pay.**

5. No required filing unit member has received Post-Employment benefits (1-3 months) in the last 12 months;
6. The household may not exceed their 60-month time limit anytime during the receipt of Post-Employment benefits;

NOTE: If a household uses their 60th month in the Post-Employment Program, their case is closed, regardless of the number of Post-Employment months they have received. Any remaining months of Post-Employment benefits are forfeited.

7. All work-eligible individuals in the household must negotiate a Family Investment Agreement (FIA) and agree to receive case management services through the Tribal NEW or WoRC Program;
8. All work-eligible individuals who are referred to WoRC for case management services must negotiate an Employability Plan (EP) with the WoRC Program; and
9. All household members must meet all other financial and non-financial eligibility requirements, including cooperation with Child Support Enforcement, etc. (TANF 300)

INELIGIBLE HOUSEHOLDS

Households are not eligible for the Post-Employment Program if:

1. The household did not receive Montana TANF cash assistance in the month prior to closure;
2. The household does not have NEW or INCREASED earned income;
3. Earnings were not reported timely (within 10 days of having knowledge of the change);
4. Earnings were not verified timely (within 10 days of request);
5. A required filing unit member received 1-3 months of Post-Employment program benefits within the last 12 months;

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6. The household is no longer eligible for TANF cash assistance based on the 60-month time limit or the household is receiving extended benefits;
7. A member of the household was sanctioned and the decrease in household members in the assistance unit caused the case to close due to income; or
8. All work-eligible individuals who are required to negotiate a Family Investment Agreement (FIA) and Employability Plan (EP) with WoRC have not negotiated a FIA/EP and agreed to comply with allowable work activities.

FIA/EP REQUIREMENTS

All individuals who are required to negotiate, sign and agree to comply with a FIA/EP will be referred to WoRC or Tribal NEW for case management services while receiving benefits through the Post-Employment Program.

NOTE: If the individual(s) is referred to Tribal NEW, the OPA Eligibility Case Manager must notify the Tribal NEW program that the individual is employed but eligible for the Post-Employment Program.

HOURS OF PARTICIPATION

If the individual is referred to WoRC for case management services, the individual must participate in allowable work activities for the required participation hours.

If the individual is employed and their prospected employment hours meet the required participation hours, the prospected employment hours will be used for all three (3) months. The individual will not be required to provide verification of actual employment hours.

NOTE: The employment verification form **MUST** contain the following in order to allow for the prospecting and reconciling of employment hours on the EP:

- **Signature of the employer;**
- **Start date of employment;**
- **Anticipated hours of employment; and**
- **Hourly rate of pay**

The individual is required to have contact with the WoRC Case Manager at least one time during the month.

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NOTE: The contact may be by phone or in person. The WoRC Case Manager will be responsible to ensure that the contact is convenient for the participant and does not hinder their ability to maintain employment. The intent of the contact is to provide job retention and employment assistance as well as support for continued employment.

If the individual is employed and their employment hours do **not** meet the required participation hours, they will be required to negotiate other allowable work activities to meet full participation requirements. These individuals are also subject to the regular case management requirements, e.g., weekly case management meetings, providing verification and documentation of activities, etc.

If the individual is not employed, they will be required to negotiate other allowable work activities to meet full participation requirements. These individuals are also subject to the regular case management requirements, e.g., weekly case management meetings, providing verification and documentation of activities, etc.

Example: Joe and Susie are eligible to receive Post-Employment benefits as a two-parent household. Joe is employed 35 hours per week. Joe has provided a signed employer statement verifying his anticipated hours of employment, his rate of pay and the start date of his employment. Susie is not employed.

Joe's hours of employment fulfill his required participation hours (33 per week) and his EP shows EMP of 35 hours per week. Susie is required to negotiate allowable work activities for the required participation hours.

Joe is required to contact his WoRC Case Manager at least once during each month of Post-Employment benefits. Susie is required to complete weekly case management meetings with her WoRC Case Manager and provide verification/documentation of her participation in the negotiated activities.

NON-COMPLIANCE OR LOSS OF EMPLOYMENT

Failure by any individual in the Post-Employment household to comply with negotiated allowable work activities, provide verification/documentation of allowable work activities and/or maintain employment without good cause will result in case closure.

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NOTE: Individuals receiving benefits in the Post-Employment Program are not subject to sanction.

The household may request to transition back to “regular” TANF cash assistance and may be found eligible, provided they meet all eligibility criteria for the program.

NOTE: The eligibility date to receive “regular” TANF cash assistance is the first of the following month. The household may not receive Post-Employment benefits and “regular” TANF in the same month.

If the household requests to transition back to “regular” TANF cash assistance before the effective date of closure, the household would not need to reapply for TANF cash assistance.

If the effective date of closure has passed, the household would be required to apply for “regular” TANF cash assistance.

TIME-LIMITED BENEFITS

Benefits through the Post-Employment Program are limited to a maximum of three (3) consecutive months of assistance in a 12-month period. If the household loses eligibility for the Post-Employment Program for any reason and/or chooses to close their Post-Employment case, the “unused” months of eligibility are forfeited. The household would not be eligible to receive Post-Employment benefits again until the 12-month time frame has passed **AND** they met all eligibility criteria.

Example: Bob receives Post-Employment benefits in September and October 2008. He then moves out of state and closes his TANF case. Bob forfeits his 3rd month of Post-Employment benefits and would not be eligible again for the Post-Employment Program until September 2009, provided he meets all other eligibility criteria for the program.

PAYMENT STANDARDS

The amount of assistance provided to a household who is receiving Post-Employment benefits is a set amount, **not** dependent on household size. The amount of assistance gradually declines over the three month period as outlined below:

1st month = \$375

2nd month = \$275

3rd month = \$175

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The amount of assistance may be decreased based on countable unearned income and/or recovery of previous overpayments. (See TANF 603-1)

TIMECLOCK

Each month an adult, teen parent living independently or a minor parent, who is not eligible for an exemption or exclusion receives assistance through the TANF Post-Employment program will count toward the 60-month time limit. (TANF 801-1; 802-1)

If the household reaches the 60-month time limit during their 3-month eligibility for the TANF Post-Employment program, they lose eligibility for the program. Any remaining months of Post-Employment eligibility are forfeited.

CHILD CARE

Households receiving TANF Post-Employment benefits are considered TANF households and are eligible for TANF child care benefits. TANF child care is available to participants engaged in approved FIA/EP allowable work activities with a demonstrated need for child care assistance. (TANF 901-1)

**SUPPORTIVE
SERVICES**

Work-eligible individuals receiving TANF Post-Employment benefits are eligible for supportive service funds to assist in payment of expenses related to participation in allowable work activities. (TANF 704-1)

**CHILD SUPPORT
SUPPLEMENTAL
PAYMENT**

Households receiving TANF Post-Employment benefits are eligible to receive the child support supplemental payment. (TANF 306-3)

**CHILD SUPPORT
COLLECTION**

If the amount of child support collected exceeds the Post-Employment benefit amount for 2 consecutive months, as long as the household is receiving Post-Employment benefits, the Post-Employment case remains open. This is an exception to the policy outlined in TANF 306-3

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